



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,583	11/18/2003	Timothy W. Giraldin	8591-109	6262

36412 7590 06/15/2005

DUCKOR SPRADLING METZGER
401 WEST A STREET, SUITE 2400
SAN DIEGO, CA 92101-7915

EXAMINER

MULLEN, THOMAS J

ART UNIT	PAPER NUMBER
----------	--------------

2632

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,583

Applicant(s)

GIRALDIN ET AL.

Examiner

Thomas J. Mullen, Jr.

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 10, 11, 20, 21 and 30 is/are rejected.
- 7) ☒ Claim(s) 2-9, 12-19 and 22-29 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/25/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2632

1. The related applications mentioned on pp. 1-2 of the specification (paragraph 0003) should be identified by their application number (and/or patent number, if any); it appears that the first application mentioned in that paragraph is actually the present ('583) application. Also, the patent number associated with related application 09/992,872 (US 6747562) should be inserted in paragraph 0001 in the appropriate place.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 10-11, 20-21 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Chuang (US 5987421), cited by applicant.

Chuang teaches, in a method, system and software system for a group of individuals within an amusement park (or "confined area of a facility"), providing each adult member of the group with a "guest ID device" or GID 7 (Fig. 2), and for children a C-GID 7a (Fig. 3), each having a "unique identification code", see e.g. col. 7, lines 31-32 and col. 8, lines 40-41 and 57-62; and providing, at various appropriate locations within the park, various sub-systems or "stations" denoted "ARS" (automatic rental stations) 2, "ISSU" (identification signal searching units) 3, and "EWR" (electronic waiting-in-line registers) 4--see e.g. Fig. 1, col. 2, lines 56-63, col. 9, lines 59-61, col. 11, lines 34-36, and col. 12, lines 30-31. Such devices collectively permit a group member to "search for the location, distance and direction...of all other members within the same group" (Abstract). In particular, the group members obtain the GIDs 7 (and C-GIDs 7a, as appropriate) at a given ARS 2, see e.g. col. 9, line 55 to col. 10, line 17, which implicitly require "personal identification information" for each member of the group (so as to enable the member-location-finding function of the system); a given ISSU 3 is used by a member to "request to find the location of other members of the group", see e.g. col. 11, lines 48-65. In addition, Chuang teaches providing various "messages" to a user of a given "station", see e.g. col. 9, lines 11-54, col. 12, lines 6-11, etc.

Art Unit: 2632

As to claims 10, 20 and 30, GID 7 is disclosed as a "personal mobile device" (see e.g. col. 4, lines 38-40, col. 8, lines 13-15 and Figs. 2-3), and messages such as the one at col. 12, lines 6-11 may be forwarded to the GIDs 7 (and 7a) from other components of the system (see e.g. col. 11, lines 48-50).

4. Claims 2-9, 12-19 and 22-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

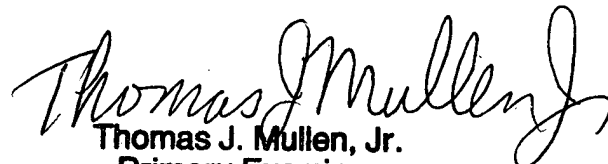
The remaining art cited by applicant has been considered.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

TJM


Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632